



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

January 10, 2007

CANTOR COLBURN, LLP  
55 GRIFFIN ROAD SOUTH  
BLOOMFIELD, CT 06002  
US

Dear Sir/Madam,

Your refund request for 10548310 in the amount of \$500.00 has been denied.

No refund is due. There was not a small entity assertion file in November 2000, for this patent therefore the refund is denied. For additional information concerning this refund request contact karen Bowman in the Status and Entity branch at (703) 306-5491.

*Rita White*  
Sincerely,  
RITA WHITE  
PCT - National  
703 308-9140 x231

REFUND COMPLETED  
PCT NATIONAL DIVISION

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JUL 05 2006

APPLICANT: Su Jae LEE, et al. )  
SERIAL NO.: 10/548,310 )  
FILED: September 7, 2005 )  
FOR: COMPOSITION COMPRISING )  
PHYTOSPHINGOSINE OR DERIVATIVE )  
THEREOF )

REFUND COMPLETED  
PCT NATIONAL DIVISION

REQUEST FOR REFUND

VIA FACSIMILE: 571-273-8300

Mail Stop 16  
Director of the U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attn: Refund Section, Accounting Division, Office of Finance

Sir:

In accordance with 37 CFR 1.28(a), Applicants respectfully requests a refund of the fees in the amount of \$500.00 for filing of small entity status. On the filing date of September 7, 2005, Applicant erroneously authorized the United States Patent and Trademark Office (USPTO) to access Deposit Account No. 06-1130 for the amount of \$1000.00 to cover the National Base Issue fee in the instant application as a large entity status. A copy of the Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371 and copy of the Deposit Account Statement showing that Applicant paid the USPTO the large entity status amount of \$1000.00 is attached hereto.

10/548,310  
YPL-0171

Jul 05 2006 5:56PM CANTOR COLBURN LLP

8602860115

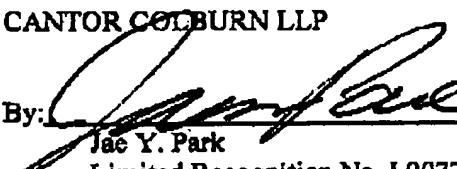
PATENT MAINTENANCE P.3  
DIVISION

2006 JUL -7 PM 3:42

As grounds, therefore, Applicants includes herewith an Assertion of Small Entity Status & TRADEMARK  
US PATENTS & TRADEMARK  
Therefore, Applicants respectfully request a refund in amount of \$500.00 be credited to Deposit  
Account No. 06-1130.

Respectfully submitted,

CANTOR COLBURN LLP

By: 

Jae Y. Park  
Limited Recognition No. L0077  
Cantor Colburn LLP  
55 Griffin Road South  
Bloomfield, CT 06002  
PTO Customer No. 23413  
Telephone: (860) 286-2929  
Fax: (860) 286-0115

Date: July 5, 2006

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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JUL 05 2006

APPLICANT: SU JAE LEE, ET AL )  
SERIAL NO.: 10/548,310 ) Group Art No.: NYA  
FILED: September 7, 2005 )  
FOR: COMPOSITION COMPRISING )  
PHYTOSPHINGOSINE OR )  
DERIVATIVE THEREOF )

WRITTEN ASSERTION OF ENTITLEMENT TO SMALL ENTITY STATUSVIA FACSIMILE 571-273-8300

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

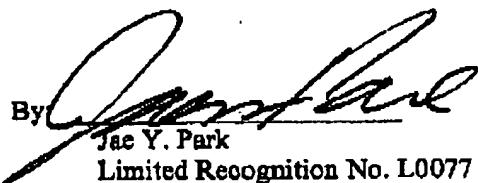
Dear Sir:

Pursuant to 37 C.F.R. §1.27(c), it is herein asserted that Applicants' are entitled to small entity status because Applicants' qualify at least as a *person* under 37 C.F.R. §1.27(a). Accordingly, recognition of Applicants' small entity status and treatment of Applicants' as a small entity is requested.

Respectfully submitted,

CANTOR COLBURN LLP

By

  
Jae Y. Park  
Limited Recognition No. L0077  
Cantor Colburn LLP  
55 Griffin Road South  
Bloomfield, CT 06002  
PTO Customer No. 23413  
Telephone: (860) 286-2929  
Fax: (860) 286-0115

Date: July 5, 2006

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Jul 05 2006 5:56PM CANTOR COLBURN LLP

8602860115

JUL 05 2006 .5

Express Mail Label No. EV687695849US

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE (REV. 2-2003)		ATTORNEY'S DOCKET NUMBER YPL-0171
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) NYA
INTERNATIONAL APPLICATION NO. PCT/KR2003/000445	INTERNATIONAL FILING DATE 3-7-2003	PRIORITY DATE CLAIMED NONE
TITLE OF INVENTION COMPOSITION COMPRISING PHYTOSPHINGOSINE OR DERIVATIVE THEREOF		
<b>COPY</b>		
APPLICANT(S) FOR DO/EO/US Su Jae LEE, Yun SII LEE, Soo Kwan KIM, Kyung Joong KIM, Chul Kao CHO, Chang Mo KANG, Tae Hwan KIM, Sangwoo BAE, Moon Taek PARK, Jung A CHOI, Min Jeong KIM, Hee Yung CHUNG, Sujoong KIM, Seongman KANG, Weon Ik CHOI and Jung A KANG		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include Items (6), (8), (9) and (24) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) a. <input type="checkbox"/> Is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> Is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input checked="" type="checkbox"/> Is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)). a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 38 (35 U.S.C. 371 (c)(5)). 11. <input checked="" type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409). 12. <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210).</p>		
Items 13 to 23 below concern document(s) or information included:		
<p>13. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 14. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 15. <input type="checkbox"/> A FIRST preliminary amendment. 16. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 17. <input type="checkbox"/> A substitute specification. 18. <input type="checkbox"/> A power of attorney and/or change of address letter. 19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825. 20. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 21. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4). 22. <input checked="" type="checkbox"/> Express Mail Label No. EV687695849US 23. <input checked="" type="checkbox"/> Other items or information: PCT Request</p>		

PTO-1390 (Rev. 02-2005)  
Approved for use through 3/31/2007, OMB 0651-0021  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO (if known, see 37 CFR 1.8)	INTERNATIONAL APPLICATION NO.			ATTORNEY'S DOCKET NUMBER
NYA		PCT/KR2003/000445		YPL-0171
The following fees are submitted:				
24. <input checked="" type="checkbox"/> Basic national fee .....		\$300		
25. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4). .... All other situations. ....		\$100 \$200		
26. <input checked="" type="checkbox"/> Search fee .. Search fee (37 CFR 1.446(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority .....		\$100		
International Search Report prepared and provided to the Office .....		\$400		
All other situations. ....		\$500		
<b>TOTAL OF 24, 26 and 28 =</b>				
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.				
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE	
34 - 100 =	0 /50 =	0	\$ 250.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).				
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	6 - 20 =	0	\$ 50.00	
Independent claims	1 - 3 =	0	\$ 200.00	
MULTIPLE DEPENDENT CLAIMS (if applicable)		<input type="checkbox"/>	\$ 360.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.		\$ 0.00		
<b>SUBTOTAL =</b>				
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				
<b>TOTAL NATIONAL FEE =</b>				
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property + \$ 50.00				
<b>TOTAL FEES ENCLOSED =</b>				
\$ 1,000.00				
Amount to be \$				
Amount to be \$				

- a.  A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b.  Please charge my Deposit Account No. 06-1130 in the amount of \$1,000.00 to cover the above fees. A duplicate copy of this sheet is enclosed.
- c.  The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-1130. A duplicate copy of this sheet is enclosed.
- d.  Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Soonja Bae  
Limited Recognition No. L0017  
Cantor Colburn LLP  
55 Griffin Road South  
Bloomfield, CT 06002  
Date: September 7, 2005

  
SIGNATURE  
Soonja Bae  
NAME  
L0017  
Limited Recognition No.

## Deposit Account Statement

Page 11 of 20

W  
E  
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T

09/16 217	11225484	YKI-0187	1011	\$300.00	\$28,870.00
09/16 218	11225484	YKI-0187	1111	\$500.00	\$28,170.00
09/16 219	11225484	YKI-0187	1311	\$200.00	\$27,970.00
09/16 223	11223093	CMS-002	8021	\$40.00	\$27,930.00
09/16 226	11226082	YPL-0184	1011	\$300.00	\$27,830.00
09/16 227	11226082	YPL-0184	1111	\$500.00	\$27,130.00
09/16 228	11226082	YPL-0184	1311	\$200.00	\$26,830.00
09/16 231	11224405	DP-312657/DE3-0375	8021	\$40.00	\$26,890.00
09/16 240	11223879	21C-0243	8021	\$40.00	\$26,850.00
09/16 270	11228117	NAW-0005	1011	\$300.00	\$26,550.00
09/16 271	11228117	NAW-0005	1111	\$500.00	\$26,050.00
09/16 272	11228117	NAW-0005	1311	\$200.00	\$25,850.00
09/16 283	10548310	YPL-0171	1631	\$300.00	\$25,650.00
09/16 284	10548310	YPL-0171	1633	\$200.00	\$25,350.00
09/16 285	10548310	YPL-0171	1632	\$600.00	\$24,850.00
09/16 311	11226607	NAW-0008	1011	\$300.00	\$24,650.00
09/16 312	11225507	NAW-0008	1111	\$500.00	\$24,050.00
09/16 313	11225507	NAW-0008	1311	\$200.00	\$23,850.00
09/16 351	29221619	WIG-0005	8021	\$40.00	\$23,810.00
09/16 398	10547864	YOM-0186	1631	\$300.00	\$23,510.00
09/16 399	10547864	YOM-0186	1633	\$200.00	\$23,310.00
09/16 400	10547864	YOM-0186	1632	\$600.00	\$22,810.00
09/16 401	10547864	YOM-0186	8021	\$40.00	\$22,770.00
09/16 418	10547904	PLU-0010	2631	\$150.00	\$22,620.00
09/16 418	10547904	PLU-0010	2633	\$100.00	\$22,520.00
09/16 417	10547904	PLU-0010	2632	\$250.00	\$22,270.00
09/16 418	10547904	PLU-0010	8021	\$40.00	\$22,230.00
09/16 651	78714043	SHN-0045-T	7001	\$325.00	\$21,905.00
09/16 1238	78714353	LSI-0008-T	7001	\$325.00	\$21,580.00
09/16 1247	78714361	LSI-0008-T	7001	\$325.00	\$21,265.00
09/16 1264	78176393	SWR-0073-T	7004	\$450.00	\$20,805.00
09/19 1	11226545	YPL-0170	1011	\$300.00	\$20,505.00
09/19 1	10531831	LNK-0109	2632	-\$250.00	\$20,755.00
09/19 2	10531831	LNK-0109	2642	\$200.00	\$20,665.00
09/19 2	11226645	YPL-0170	1111	\$800.00	\$20,065.00
09/19 3	90007721	FAO-0187-R2	1812	\$2,520.00	\$17,535.00
09/19 3	11226645	YPL-0170	1311	\$200.00	\$17,335.00
09/19 8	10530231	21C-0190	1632	-\$500.00	\$17,835.00
09/19 9	10530231	21C-0190	1642	\$400.00	\$17,435.00
09/19 9	11226543	SIE-0220	1011	\$300.00	\$17,135.00
09/19 10	11226543	SIE-0220	1111	\$600.00	\$16,835.00
09/19 11	11226643	SIE-0220	1311	\$200.00	\$16,435.00
09/19 12	10500062	67628-6001	2253	\$510.00	\$15,925.00
09/19 12	10276781	02408	1253	-\$1,020.00	\$16,945.00
09/19 31	10531829	21C-0191	1632	-\$500.00	\$17,445.00
09/19 32	10531829	21C-0191	1642	\$400.00	\$17,045.00
09/19 33	E-REPLENISHMENT		9203	-\$20,000.00	\$37,045.00
09/19 35	10049417	GRP-0010	1202	\$50.00	\$36,995.00
09/19 36	10049417	GRP-0010	1201	\$200.00	\$36,795.00
09/19 61	E-REPLENISHMENT		9203	-\$20,000.00	\$36,795.00
09/19 53	10028271	BS00-355	1401	\$500.00	\$36,295.00

**BEST AVAILABLE COPY**

<b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b>			
Applicant(s): Su Jae LEE, et al.		Docket No. YPL-0171	
Application No. 10/548,310	Filing Date 9-7-2005	Examiner NYA	Group Art Unit NYA
Invention: COMPOSITION COMPRISING PHYTOSPHINGOSINE OR DERIVATIVE THEREOF			
RECEIVED CENTRAL FAX CENTER JUL 05 2006			
Request for Refund (2 pages), Written Assertion of Entitlement to Small Entity Status (1 page), Copy of Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Submission Under 35 U.S.C. 371 (2 pages) and Copy Deposit Acct. Statement (1 page)			
I hereby certify that this _____ <small>(Identify type of correspondence)</small>			
is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>571-273-8300</u> )			
on	July 5, 2006 <small>(Date)</small>		
<p style="text-align: center;">Tammie Lanthier <small>(Typed or Printed Name of Person Signing Certificate)</small></p>  <p style="text-align: center;"><small>(Signature)</small></p>			
Note: Each paper must have its own certificate of mailing.			